

## THE 2007 LEGISLATURE: A Landmark Session for Oregonians and Our Environment

The first expansion of the Oregon Bottle Bill since its inception in 1971. A broad fix to Measure 37 to preserve land use laws that protect Oregon from land speculators and unchecked sprawl. A new toxics reduction strategy to help clean up the Willamette River. A new electronic waste recycling law, the first comprehensive statewide waste reduction initiative since curbside recycling was enacted in 1983. A new statewide Clean Diesel Initiative to retrofit and replace polluting diesel engines in Oregon's school buses, big rigs, construction and farm equipment. Aggressive greenhouse gas

reduction goals written for the first time into Oregon law and a new state commission to reduce global warming pollution. Bold, new Oregon standards for renewable energy and alternative fuels to promote energy independence, create jobs and combat global warming.

Whether variations on an old Oregon theme or creative, new initiatives for a healthier future, these achievements made the 2007 Oregon Legislature nothing short of a landmark session for Oregonians and our environment. These important victories – which the Oregon Environmental Council and our fellow advocates within the Oregon

Conservation Network worked hard to achieve – will improve the health, quality of life and economic vitality of communities across our great state.

As you'll read about in the following pages, the Oregon Environmental Council worked hard and won important victories this session to advance clean energy, integrate sustainability into economic development, reduce toxics in Oregon's air and rivers, and promote local solutions to global warming. In doing so, we worked to build bridges with a diversity of Oregonians around

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# Victories in Salem!

From January 8 to June 28, Oregon's 74th Legislative Assembly met in Salem. We're pleased to report that this was the most pro-environment session in more than a decade. Below we list some important victories that were led or supported by the Oregon Environmental Council. We thank our state legislators for taking action to protect Oregon's quality of life. We thank the many citizens from across Oregon who urged their legislators to address these critical issues. We thank you, the members of the Oregon Environmental Council, for supporting this work. And we congratulate our environmental allies for additional victories that they achieved.

## Global Warming Goals

The Oregon Environmental Council's former executive director participated in the Governor's Advisory Committee on Global Warming, which adopted a set of ambitious goals in 2005 for reducing the state's contribution to global warming and made a series of recommendations to begin reducing Oregon's greenhouse gas emissions. We are pleased to say that the 2007 Oregon Legislature has given these goals the weight of law by adopting them in statute.

The Legislature has also created an Oregon Global Warming Commission to coordinate local and state efforts to reduce greenhouse gas emissions. The Oregon Environmental Council led the coalition effort to develop and pass this legislation, which sets the stage for



Global warming will cause extreme weather, including dry conditions that will lead to more and bigger forest fires.

establishing more meaningful and comprehensive legislation in the upcoming 2008 special session. We have already begun to develop state-level carbon reduction policies for consideration and the broad public support that will be needed to pass them.

## Cleaner Cars

The Oregon Environmental Council led a broad coalition effort in 2006 to ensure adoption of "clean car standards" by the Environmental Quality Commission. These tailpipe emission standards will cut global warming pollution from new cars and light duty trucks by an average of 22% by 2012 and 30% by 2016. This legislative session,



Children are more exposed and vulnerable than adults to the toxins emitted by diesel fuel. That's why the Oregon Environmental Council supported an amendment to a bill that prioritizes cleaning up diesel school buses.

we kept a close eye on the clean car standards because state legislators tried to block their adoption last session. We're pleased to say that they survived unassailed, the Department of Environmental Quality (DEQ) was granted funding to implement the standards, and a bill was passed to allow the Department of Motor Vehicles to deny registration to any new car that does not meet the standards.

On a related note, if your child is 15 going on 16, he or she will need to bone up on how to "drive green." Recognizing that global warming pollution and dependence on foreign oil are related not only to what we drive, but how we drive, the Legislature passed a bill to make fuel-efficient driving techniques part of the Oregon driver's test. Interested in learning

how to sip, not guzzle, gas? Check out [DriveGreenSaveGreen.org](http://DriveGreenSaveGreen.org) – our guide to how to reduce your car's impact on the environment.

## Cleaner Diesel Engines

A \$10.15 million fund has been created to help reduce the toxic exhaust emitted by diesel engines of all shapes and sizes, from semi-trucks and school buses to tractors and bulldozers. Exposure to diesel exhaust can lead to a wide array of health problems, including birth defects, asthma and cancer. The state will now provide grants, loans and tax credits to help Oregonians dump dirty diesel by retrofitting, rebuilding or replacing older

diesel engines. The Oregon Environmental Council prioritized passage of this legislation because we knew it would help protect Oregon's children, who breathe at twice the rate of adults and suffer among the highest rates of asthma in the nation. Along with the American Lung Association and other partners concerned about children's health, we also supported an amendment to the legislation that prioritizes the clean-up of diesel school buses.

## Renewable Fuels

The beginning of a biofuels industry is underway in Oregon. A biorefinery in Salem is converting waste vegetable oil from Willamette Valley restaurants and

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# From Camping to Campaigning

## Maradel Gale gave Oregon's environment its first voice in Salem

The most striking thing about talking with Maradel Gale is the strong sense of shared experience that pervades the conversation. She emanates a deep sense of knowing what's important, and that, together with her plain-spoken way of communicating, gives you the friendly, familiar feeling that she knows you share these values too. Maradel Gale is, in her own quiet way, a powerhouse.

The first president of the Oregon Environmental Council, Gale was also the organization's first lobbyist. "We picked a couple of bills to follow," she says of that session, but it was "mostly an effort to keep bad things from happening," because the Oregon Environmental Council had neither the funding nor the lead time to write bills or be proactive.

When asked how she became involved with environmental work, she immediately hearkens back to her childhood. Growing up in San Francisco and later in the Seattle area, she recalls frequently loading into the car with her siblings late on Friday afternoons. They would meet her father at the train station — he commuted into San Francisco by train — and "head up to Sequoia or Yosemite." Camping was not a widely popular pastime for Americans then.

"This was before people did that," says Gale. "Now you have to make reservations a year in advance."

Later she married a man from Portland and they spent their first summer as lookouts on Flattop in the Gifford Pinchot National Forest. She witnessed the forest "being chewed up" by clear cutting.

"That's when I formed my first environmental organization," she jokes, "the Washington Anti-Clear-Cutting Association." Various official visitors and the public often came to the lookout, so the "stamp out forest ringworm" sign Gale

posted in the window made their supervisor quite uncomfortable.

While completing graduate studies in Michigan, Gale and her husband had some disconcerting camping experiences that solidified her values around conservation. Within large swaths of what looked on the map like state forests, all the lakeshores were off-limits to campers because they were privately owned — and often developed with homes. That caused her to join the Sierra Club, and to realize that this could happen in Oregon and Washington as well.

Returning to Oregon, Gale became the Lane County coordinator for Beaches Forever, where she worked with other activists like Janet McLennan.

"That got me into the political arena," she says. In 1968, Gale began to drive from Eugene to Salem several days a week — on her own dime — to meet with legislators on behalf of the newly formed Oregon Environmental Council.

"Janet showed me the ropes," recalls Gale. There was a small but growing number of lobbyists working on behalf of the environment at the time, and the number of environmentally concerned citizens was growing with the budding national environmental movement. By the 1971 session she says, "We were geared up for lots of things."

Indeed. It is to clear-eyed visionaries like Maradel Gale that Oregonians owe much with regard to our state's ecological heritage. The 1971 session saw passage of the bottle bill (see story, page 4), the beach bill, a billboard removal bill, important motor vehicle pollution controls, use of a percentage of highway funding for bike and recreational trails, creation of the Nuclear and Thermal Energy Council, landmark land use legislation and much more. Gale and other conservationists, along with the record number of Oregon citizens who attended



Maradel Gale talks with Sen. Don Willner, 1971. Photo reprinted with permission from The Oregonian.

hearings and wrote letters, had taken the legislature by storm.

The successes of that session were due to many factors, including the growing concern many Americans had for the environment. But a great deal of that success can be attributed to the well-researched information provided by Maradel Gale, her clear-headed testimony, and her ability to communicate with legislators across the political spectrum. Lindsey Capps, Oregon Environmental Council's current legislative director, emulates these skills today. "As advocates we work to point to the right way forward, providing the best analysis and judgments we can and giving voice to Oregonians concerned about preserving our quality of life," says Capps. "The rest is up to the Legislature."

— Adrienne Kringsen

Read an interview with Lindsey Capps and more about Maradel Gale at [www.oconline.org/legislature](http://www.oconline.org/legislature).

# “And as for the Beer Can, May it Rust in Peace”

## Looking back at Oregon’s first bottle bill

Oregon passed the nation’s first bottle bill in 1971, setting a precedent that nine other U.S. states would eventually follow. In the 36 years since its passage, the bill has become part of our state’s mythology. It also established Oregon as a leader on environmental policy – a role we seek to recapture today.

When the bill went into effect in October 1972, Oregon Environmental Council staff, board and volunteers celebrated with a mock funeral, complete with “a rather jubilant eulogy” by then OEC President Don Waggoner. Pull-tabs, which were also outlawed in the new Bottle Bill, were tossed into the open grave. According to the OEC newsletter article on the event which bore the above headline, “It was good to celebrate so complete a victory; to know, as we approach another legislative session, that previously unheard-of victories are possible, if we put enough effort into them.”<sup>1</sup>

A closer look at the story of the original bottle bill reveals a movement replete with complexity and contradictions. Today, in a culture inundated with simplistic dichotomies – “red state vs. blue state,” or “you’re either with us or against us” – the story of the bottle bill is a refreshing departure. It challenges broadly held notions about who environmentalists are, and it asserts that both citizens and states can accomplish much to turn around national and international trends that seem far larger than the states themselves.

The bill was conceived in an era when companies began seeking national markets for products which had largely been marketed on a local or regional basis until then. In order to make nationwide marketing profitable, industry believed, they needed the convenience of “throw-away” packaging.

The originator of the bill, Richard Chambers, was not your stereotypical environmentalist. By all accounts an impressive figure, Chambers was a plywood production equipment salesman, staunch Republican and avid outdoorsman who did needlework to calm his nerves.

Also contrary to popular perception, the Oregon bottle bill was not simply a litter control law. The aim of Chambers and his allies was to stop what they saw as the development of a throwaway culture. As Governor McCall noted in a letter; “[The Bottle Bill] can also be a most visible move to start us generally along a path of managing materials for continued use instead of our curious idea of ‘throw it away and get a new one.’”<sup>2</sup>

While Governor Tom McCall is widely credited with the bottle bill’s success, it could not have happened without the active participation of all of its proponents, which included the Oregon Environmental Council – led by those such as Don Waggoner; Larry Williams and Maradel Gale (see story, page 3) – as well as the broad and active support of Oregon’s citizens<sup>3</sup>. Students and local industry rallied in support, as did groups such as the YWCA and cities like Klamath Falls. It was the breadth and depth of the movement which led to the “David and Goliath” style victory that the bill enjoyed over the seemingly endless supply of cash, lobbying and legal savvy that the opposition industry brought to the fight. Even still, the bill just barely passed.<sup>4</sup>

Then, and today in its expanded form, the bottle bill challenges us to think deeply about who is responsible for waste: manufacturers and sellers of products, consumers, or both? And to what degree are we responsible? While today’s updated bottle bill to cover plastic bottles will do much to stem the increasing tide of waste in Oregon, these vexing questions remain with us.

### Oregon’s New Bottle Bill

After 36 years, the 2007 Oregon Legislature finally expanded Oregon’s original bottle to include plastic water bottles.



### Footnotes

- <sup>1</sup> *EarthWatch Oregon*, Oregon Environmental Council, October 1972.
- <sup>2</sup> As cited in “Oregon’s Bottle Bill: A Battle Between Conservation and Convenience,” Richard Bacon, 2005, <https://scholarsbank.uoregon.edu/dspace/bitstream/1794/2505/1/bacon.pdf>: letter from Governor Tom McCall to Elmer F. Frazier, February 17, 1970, box 16, “Governor Tom McCall Papers,” Oregon State Archives, Salem.
- <sup>3</sup> “The Oregon Environmental Council and other outdoor groups led the fight for the bill,” said a June 6, 1971, *New York Times* article, “Beverage Deposit Passed in Oregon.”
- <sup>4</sup> Mooallem, Jon, “The Unintended Consequences of Hyperhydration,” *New York Times Magazine*, May 27, 2007.

# Victories in Salem!

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canola grown by Eastern Oregon farmers into biodiesel, and biorefinery plants are being built along the Columbia River to convert corn and other grains, in the near term, and waste agricultural and forestry products, in the long term, to



When the renewable fuel standard is in place, a portion of every dollar you spend at the pump will support fuels produced right here in Oregon by Oregon farmers and workers.

ethanol. As soon as five million gallons of biodiesel are produced in Oregon, petroleum distributors will be required to blend a small percentage of biodiesel into the diesel sold in Oregon, with a similar phased requirement for blending ethanol into gasoline.

One of the Oregon Environmental Council's main priorities this legislative session was this "renewable fuel standard," as well as tax incentives to help Oregon's rural communities provide feedstocks for biofuels. We ensured that the renewable fuel standard can't be met by biodiesel produced from imported palm oil (palm plantations are supplanting tropical forests) and supported legislation that ensures corn production does not receive feedstock tax credits (conventionally grown corn requires heavy pesticide application and irrigation).

As soon as the renewable fuel standard is in place, a portion of every dollar you spend at the pump will support fuels produced right here in Oregon by Oregon farmers and workers. These biofuels are also cleaner and have a lower carbon footprint than petroleum fuels. In the coming months, the Oregon Environmental Council will work to ensure that the rules implementing this legislation are written to favor the biofuel feedstocks and bio-refinery operations that are most environmentally beneficial.

## Resources to Protect Our Air & Water

The Oregon Environmental Council lobbied hard to ensure state agencies have the resources they need to protect our air and water quality. We are pleased to report that DEQ air quality and water quality budgets have been increased. DEQ will be able to expand programs to reduce air toxics, fine particulate matter and ozone pollution; respond to more open burning complaints and help citizens understand the need to reduce open burning; and better address air quality problems in the Columbia River Gorge. DEQ will also be able to implement water quality improvement plans; develop a new watershed-based toxics monitoring



After a long period of being underfunded, DEQ has received funds to improve the water we drink.

program; and increase efforts to reduce stormwater pollution. And DEQ will be able to cut a huge backlog of air and water pollution permits. The increased funding for these air and water quality programs doesn't cover all of the department's needs, but it's a relief after years of significant cuts.

We are also pleased to report that we led an effort to increase funding to improve watershed health on agricultural, forest, rural and urban lands. The coalition successfully advocated for funding for much-needed staff positions at watershed councils and soil and water conservation districts to provide expert technical assistance and outreach to private landowners who want to improve management of their land to protect water quality and restore habitat for native salmon. The Oregon Environmental Council's lobbying efforts also helped to increase funding for planning and design of on-the-ground watershed and salmon recovery projects, monitoring to track progress in

improving watershed health, and watershed education and outreach efforts.

## Cleaner Energy

Ten years ago, Oregon enacted the first law in the U.S. addressing global warming pollution from power plants. That bill required new power plants built in Oregon to offset part of their emissions of carbon dioxide, the most abundant greenhouse gas.

This session the Legislature took a much more significant step and joined 24 other states that have enacted a "renewable energy standard." Oregon's new renewable energy standard, which will require the state's three largest utilities to meet 25% of their customers' power needs with renewable energy by 2025, is among the toughest in the nation. Small utilities will be held to a less aggressive standard, but if they invest in or buy coal-based power, they'll be required to meet the same standard as the bigger utilities. As the standard is phased in, more and more of the



Oregon's new renewable energy standard – which requires non-traditional sources such as wind power – is among the toughest in the nation.

electricity that you use will come from a variety of renewable resources such as wind, solar, geothermal, biomass and wave energy. Like the renewable fuel standard, the renewable energy standard will drive economic development because these resources are plentiful in Oregon.

The Oregon Environmental Council played a supportive role in passage of this legislation, with Environment Oregon (formerly OSPiRG) and the Fair and Clean Energy Coalition leading the charge. The Legislature also passed several other

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bills that will reduce our use of outdated, dirty energy sources, from stricter energy efficiency standards for certain appliances to more energy efficient design of public buildings to greater use of solar energy by public buildings.

## Electronics Recycling

Thanks to the hard work of Representatives Jackie Dingfelder and Scott Bruun, and Senator Frank Morse, with the Oregon



In 2005, most of Oregonians' 32,500 tons of discarded computers, TVs, etc., ended up like this, possibly posing a threat to our ground water.

Environmental Council playing a supporting role, the manufacturers of certain electronic products will now be responsible for recycling these toxic-laden products when they reach the end of their life. Oregonians chucked 32,500 tons of computers, televisions, and other obsolete electronics in 2005, most going straight into landfills or dumps where toxic metals such as mercury, lead and cadmium could eventually leach into our ground water. Manufacturers will finance free, convenient and environmentally sound recycling services for televisions, personal computers, laptops and monitors.

## Environmental Justice Task Force

In many communities, pollution and poverty go hand in hand. Research shows that low-income communities and people-of color bear the greatest burden of this nation's environmental hazards. The Legislature has established an Environmental Justice Task Force to advise state agencies on how to protect all communities from pollution, enact laws

equitably and involve traditionally under-represented communities in reviewing agency actions. We supported this initiative and we're very pleased that this legislation finally passed after having been introduced every session since 2001.

## Measure 37 Reform

Many Oregonians who voted for Measure 37 in 2004 now realize that this initiative was a wolf in sheep's clothing. Cash-strapped communities can't afford

to pay landowners for claims; instead they grant waivers allowing them to develop their property, sometimes in very undesirable ways. Detrimental developments, like gravel pits, in turn cause neighbors' property values to plummet. The measure has earned the nickname, "the bad neighbor law."

Responding to these concerns, the Legislature is forwarding to the

November 2007 ballot a fix to Measure 37 that better balances the rights of landowners with strong protections for neighbors, farmlands, forests and ground water supplies. The revision will, among other things, prohibit all Measure 37 claims for industrial and commercial development, including billboards and quarries; protect water by prohibiting claims for subdivisions in critical and limited groundwater areas; and prohibit claims for subdivisions on our best farm and forest lands. We have 1000 Friends of Oregon to thank for tireless work to fix Measure 37, and the Oregon Environmental Council will play a strong supportive role this fall in supporting the ballot measure.

## Bio-Economy and Sustainable Research Center

We lobbied for funding for a research center, which will develop new technologies supporting renewable energies, bio-based products and green building materials. The Oregon BEST Center will help position Oregon industry as a leader in developing safer bio-based products. Clean, renewable energy is an industry with tremendous growth potential. Conservative estimates project that the clean energy industry in Oregon, Washington and British Columbia alone will grow to a total of \$2.5 billion over the next 20 years. The design of less toxic alternatives to everyday products – such as non-toxic glues, biodegradable plastics, and formaldehyde-free building materials – holds similar economic promise, while greatly benefiting human health.

## Urging Congress to Tackle Toxins

The Legislature passed a joint memorial urging the U.S. Congress to require accurate labeling of all the ingredients in cosmetics, personal care products and toys and to enact federal laws to ensure that the chemicals in these products are tested, reviewed, and approved as safe for humans. Of increasing concern are phthalates, which make plastics soft and flexible, but have been associated with a number of reproductive abnormalities in humans. We worked with Rachel's Friends to ensure passage of this joint memorial. While the resolution is largely symbolic, it sets the stage for the passage of state-level policies to address toxics in coming sessions, a key priority for us.



The Legislature is urging Congress to make products like cosmetics and toys safer.

# We Want to Hear from You

Tell us what you think of our newsletter...

...and you'll be entered into a drawing for a free one-year membership with **BetterWorld Club**, the eco-friendly, 24-hour roadside assistance club for autos and bicycles, headquartered right here in Oregon.\* You may use the form below or enter on-line at [www.oeonline.org/readersurvey](http://www.oeonline.org/readersurvey).

Please check the boxes that best describe you.

When I get my *One Oregon One Environment* newsletter, I...

- Jump for joy and immediately sit down to read it cover to cover
- Read one or two articles fully and glance at the rest
- Skim it briefly, but end up reading very little of it
- Toss it in the recycling bin

When I'm done, I...

- Pass it along to friends, family members or colleagues
- Recycle it
- Save it for future reference

My favorite articles...

- Give me tips that I can use, like eco-friendly gardening ideas, how to avoid toxins in the home, or ways to reduce my car's environmental impact
- Describe specific topics in depth, like biofuels or global warming
- Give real-life examples of Oregonians making a difference in their communities or businesses
- Other: (Please describe)

I'd prefer to get...

- One Oregon One Environment* quarterly (current setup)
- Short, periodic, issue-oriented progress reports via mail
- Short, periodic, issue-oriented progress reports via e-mail

I would love it if you would cover... (list as many topics as you like)

Additional thoughts for us?



Please clip and return to the Oregon Environmental Council, 222 NW Davis Street, Suite 309, Portland, OR 97209 or complete this form online at [www.oeonline.org/readersurvey](http://www.oeonline.org/readersurvey).

\*To enter the drawing, please include your full name and a phone number or email address, so we may contact you if you win. We will not share your name or information.

**Thank you for your feedback!**

# The 2007 Legislature

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the state and promote legislation in collaboration with a variety of stakeholders. We believe this was a key to our success and will provide the basis of future achievements on a variety of environmental challenges facing our state.

You, Oregon Environmental Council members, were key to these efforts by responding to action alerts and contacting your legislators.\* So too, was the steadfast commitment of the House and Senate leadership and Governor Ted Kulongoski in seeing our issues through the tough legislative process. These victories were also the result of bipartisan cooperation, with legislators on both sides of the aisle backing many of these issues. Particularly critical was the hard work of the chairs of the Senate and House environment committees: Senator Brad Avakian and Representative Jackie Dingfelder; two key environmental champions this session.

Our work isn't finished. We will continue to advance efforts to address global warming, promote environmental

health and support sustainability when the Legislature reconvenes in early 2008. We look forward to continuing conversations with Oregonians across the state on these issues, working with environmental and consumer advocates, farmers and ranchers, business and labor, and elected and civic leaders from local communities both urban and rural around the state. Our goal is to build upon this momentum to improve the health, economic vitality and quality of life for all Oregonians.

As always, your commitment to these issues is vital in safeguarding what we all love about Oregon: clean air and water; an unpolluted landscape, healthy kids, and healthy food from local farms. Thank you for your support and your shared commitment to these values.



Lindsey Capps  
Legislative Director

\* Oregon Environmental Council Action Alerts help connect you directly to your elected representatives on these important issues. Sign up for yours at [www.oeonline.org/full\\_signup](http://www.oeonline.org/full_signup).



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